

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman John Edmonds at 1:30 P.M. on February 21, 2005 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Athena Andaya, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mary Torrence, Revisor of Statutes Office
Carol Doel, Committee Secretary

Conferees:

Craig Weinaug - County Administrator Douglas County
Ed Taylor - County Commissioner Franklin County
Judy Moler - Kansas Association of Counties
Mike Davis - Miami County Supervisor of Code Enforcement

Others attending: See attached list

Chairman Edmonds called the meeting to order and opened the floor for any bill introductions.

Representative Colloton requested a concurrent resolution concerning the endorsement of the participation of Taiwan in the World Health Organization which is a resolution that has been approved by the Kansas Department of Commerce. It has been passed in several Midwest states.

Without objection, the Chair accepted the resolution for introduction.

There were no further bill introductions and Chairman Edmonds opened the floor for public hearing on **HB 2309** which authorizes counties with populations greater than 150,000 to have a formal code enforcement process.

The Chair recognized Craig Weinaug, County Administrator, Douglas County, who supports **HB 2309** stating that the bill changes the minimum population threshold for creating a code court from 150,000 to 100,000. The effect of this change would be to make the creation of a code court an option for the five largest counties in the state, instead of just the four largest counties. He further related that the courts have time to deal only with the most serious code violations, therefore they would like the County Commission to be authorized by the statutes to create a codes court.

(Attachment 1)

Former Chairman of the Board of Franklin County Commissioners, John Taylor, delivered testimony supporting **HB 2309** asking that the bill be amended to include Franklin County. This would make the enforcement of their codes easier, will save the county money and will better protect the citizens' property rights. (Attachment 2)

Also delivering testimony in support of **HB 2309** was Judy Moler, General Counsel/Legislative Services Director for the Kansas Association of Counties. Ms. Moler related that currently all the counties with a lower population than 150,000 enforce county codes through the already beleaguered district court. Cases involving murder, burglary and such take priority in district court and the code cases fall to the bottom of the docket. With the passing of this bill, there could be expedition of hearings for those found in violation of county codes.

(Attachment 3)

Mike Davis, Supervisor of Code Enforcement of Miami County, addressed the committee in support of **HB 2309**. In his testimony, Mr. Davis stated that people are building new homes that are worth considerable money and when they come into the communities where there are code problems, it devalues those new homes and these people are coming there with higher expectations than the county can provide. With the passage of this bill they would be able to process code problem claims faster and more effectively. (No Testimony)

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on February 21, 2005 in Room 313-S of the Capitol.

Also presented in support of **HB 2309** was a letter written by Representative Sloan and also signed by Representative Davis, Representative Ballard, Representative Brown, and Representative Holland which explained that the bill does not require formation of a code enforcement process, it merely provides authorization of such a process if county officials determine such action to be appropriate. This legislation is specific to the County requesting authorization, and no costs will be paid by the state. (Attachment 4)

Chairman Edmonds asked for a motion to adopt the minutes from January 20, 25, 26, 27, and February 2, 2005

Representative Dillmore made a motion that the minutes of January 20, 25, 26, 27 and February 2, 2005 be adopted as read. Representative Cox seconded the motion. Vote was taken and minutes were adopted.

With no further business before the committee, Chairman Edmonds adjourned the meeting.